

ORIGINALLY FILED IN ENVELOPE # 18

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MICHAEL KRECHMER, a/k/a  
"Michael Malice," an individual,

Plaintiff,

-against-

ANDREA K. TANTAROS, an individual;  
and ASTERO, LLC, a New Jersey limited  
liability company,

Defendants.  
-----X

Case No.: 16-cv-7820 (KBF)

**PLAINTIFF MICHAEL KRECHMER'S OPPOSITION TO DEFENDANTS'  
MOTION TO DISMISS THE COMPLAINT AND FOR RELATED RELIEF**

Ordered : As to the motion at ECF <sup>99</sup> ~~80~~ ~~100~~ :

This is a contract case, not a copyright case. Plaintiff does not hold, and has apparently never applied for, a federal copyright for the work at issue. Plaintiff asserts that he can plead a basis for diversity jurisdiction. Accordingly, plaintiff is granted one final opportunity to ~~replead~~ <sup>replead or alleging</sup> ~~replead or alleging~~ <sup>presumably</sup> ~~replead or alleging~~ <sup>contract</sup> or other non-copyright (and no DMCA/copyright-dependent) claims. Plaintiff must file any amended complaint not later than Oct. 11, 2017. (CST. Joe WISST 9/29/17)

(along with a basis for diversity jurisdiction).